

## **EXHIBIT “A”**

### **Section 1.17.122 Background check procedure for Riverside Police Department review of business permit applications.**

- A. Absent any contradictory procedure, the following background check procedure applies to all appeals from the Riverside Police Department's review of business permits referred to in the following Chapters of this Code: (1) Chapter 5.28, (2) Chapter 5.40, (3) Chapter 5.52, (4) Chapter 5.77, (5) Chapter 5.80, (6) Chapter 5.85, (7) Chapter 5.90, (8) Chapter 5.95, (9) Chapter 6.24, (10) Chapter 9.40, and (11) Chapter 9.42.**
- B. Additional background check requirements and processes unique to the respective Chapters listed in Section 1.17.122(A) of this Code may be found in each of the respective Chapters.**
- C. Owners and employees (aka Individual) of businesses as specified in Section 1.17.122(A) of this Code shall be required to:**
  - 1. Submit to a background check for themselves and all persons in their employment.**
  - 2. Complete a background check prior to issuance or transfer of a business permit in question.**
- D. The City shall conduct background checks which must, at a minimum, identify the following:**
  - 1. Whether the individual has been convicted of a crime involving dishonesty, fraud, deceit, embezzlement, or moral turpitude.**
  - 2. Whether the individual has been convicted of a crime while engaged in the ownership or operation of a type of business or business practice as specified in Section 1.17.122(A) of this Code.**
  - 3. Whether the individual has been convicted of a crime involving conduct reasonably related to the occupation being regulated where that crime demonstrates a pattern of conduct.**
  - 4. Whether the individual has been convicted of attempt to commit or conspiracy to commit any of the above-mentioned offenses or any of the additional offenses enumerated in Chapters 5.28, 5.40, 5.52, 5.77, 5.80, 5.85, 5.90, 5.95, 6.24, 9.40, or 9.42 pursuant to Section 1.17.122(B) of this Code.**
  - 5. Whether the individual has been convicted of a crime in any other state or jurisdiction which is equivalent of or substantially similar to any of the above-mentioned offenses or any of the additional offenses enumerated in Chapters 5.28, 5.40, 5.52, 5.77, 5.80, 5.85, 5.90, 6.24, 9.40, or 9.42 pursuant to Section 1.17.122(B) of this Code.**
  - 6. Whether the individual has any active felony and/or misdemeanor warrants for his or her arrest.**
  - 7. Whether the individual is currently on active parole or probation.**

8. Whether the individual has had a civil lawsuit filed against him or herself while engaged in the ownership or operation of a type of business or business practice as specified in Section 1.17.122(A) of this Code.
9. Whether the individual has had any business permit as specified in the respective Chapters listed in Section 1.17.122(A) of this Code, or any other similar license or permit, denied, suspended, or revoked for cause by any city, county, state, local agency, or other licensing authority, or has had to surrender a permit or license as a result of pending criminal charges or in lieu of said permit or license being suspended or revoked.

E. In order to promote the public health, safety, and welfare, the Chief of Police, or their designee, may deem a background check as failed if the background check demonstrates evidence of a conviction or final judgment/order of any of the offenses enumerated in Section 1.17.122(D) of this Code or if the background check demonstrates evidence of a conviction of any of the additional offenses enumerated in Chapters 5.28, 5.40, 5.52, 5.77, 5.80, 5.85, 5.90, 5.95, 6.24, 9.40, or 9.42 pursuant to Section 1.17.122(B) of this Code, unless the Chief of Police finds the offense in question was so remote in time and that the applicant has been rehabilitated.

F. The Chief of Police, or their designee, may also deem a background check as failed if the applicant has knowingly made any false, misleading or fraudulent statement of material fact, or omitted any material fact in the application for background check.

G. After a reasonable period of time, the Chief of Police, or their designee, shall deem the background check application either cleared or failed and submit notice of such decision to the City Manager. If the application is deemed failed, the Chief of Police, or their designee, shall attach to the notice a statement of the reasons for failure.